

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

STERLING SUFFOLK RACECOURSE, LLC,

Plaintiff,

v.

No. 1:18-cv-11963 PBS

WYNN RESORTS, LTD; WYNN MA, LLC; STEPHEN
WYNN; KIMMARIE SINATRA; MATTHEW
MADDOX; and FBT EVERETT REALTY, LLC,

Defendants.

**DEFENDANT STEPHEN WYNN'S
MOTION TO DISMISS THE AMENDED COMPLAINT**

Pursuant to Fed. R. Civ. P. 12(b)(6), and for the reasons set forth in the accompanying Memorandum of Law, Defendant Stephen Wynn hereby moves to dismiss the Amended Complaint.

REQUEST FOR ORAL ARGUMENT

Mr. Wynn respectfully requests oral argument on this Motion.

Respectfully submitted,

STEPHEN A. WYNN

By his attorneys,

/s/ Brian T. Kelly

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Dated: March 8, 2019

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LOCAL RULE 7.1(A)(2) CERTIFICATION

I hereby certify that I conferred with counsel for Plaintiff in a good faith attempt to resolve or narrow the issues raised by this motion.

/s/ Joshua C. Sharp
Joshua C. Sharp

CERTIFICATE OF SERVICE

I hereby certify that a copy of the forgoing was filed electronically on March 8, 2019, and thereby delivered by electronic means to all registered participants as identified on the Notice of Electronic Filing.

/s/ Joshua C. Sharp
Joshua C. Sharp